

**IOWA BOARD OF MEDICINE
REGULARLY SCHEDULED MEETING: October 24-25, 2013**

A G E N D A^{1, 3, 4, 5}

BOARD MEMBERS: Greg Hoversten, D.O., Chairperson; Hamed Tewfik, M.D., Vice Chairperson; Michael Thompson, D.O., Secretary; Robert Bender, M.D.; Frank Bognanno; Julie Carmody, M.D.; Diane Clark; Ann Gales; Julie Perkins, M.D.; Allison Schoenfelder, M.D.

THURSDAY, OCTOBER 24, 2013

7:30 a.m. **EXECUTIVE COMMITTEE – Board Room**
Chair Hoversten, Clark, Gales, Tewfik, Thompson

7:30 a.m. **SCREENING COMMITTEE – Medical Conference Room B**
Chair Perkins, Bender, Bognanno, Carmody, Schoenfelder

OPEN SESSION – Board Room
Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

CLOSED SESSION¹ – Board Room
Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

LUNCH BREAK

CLOSED SESSION¹ – Board Room
Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

OPEN SESSION – Board Room
Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

A. Unlicensed Practice of Medicine Cases

1. Christina Mitchell

B. Vote on Closed Session Cases

C. Go to recess until 8:00 a.m. Friday, October 25

FRIDAY, OCTOBER 25, 2013

8:00 a.m.

OPEN SESSION – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

CLOSED SESSION¹ – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

9:00 a.m.

MONITORING COMMITTEE – Board Room

Chair Tewfik, Bognanno, Carmody, Hoversten, Perkins

9:00 a.m.

LICENSURE COMMITTEE – Medical Conference Room B

Chair Thompson, Bender, Clark, Gales, Schoenfelder

OPEN SESSION – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

CLOSED SESSION¹ – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

A. Iowa Physician Health Committee

1. Notice of non-compliance

B. Review of closed minutes

1. August 29-30, 2013, Board meeting
2. September 26, 2013, teleconference

LUNCH BREAK

OPEN SESSION – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

1:00 p.m.

OPEN SESSION/PUBLIC MEETING – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

A. Roll-call to establish quorum, acknowledgement of absent Board members, and approval of agenda^{3,4}

B. Opportunity for public comments⁵

C. Board minutes for consideration of approval:

1. August 29-30, 2013, Board meeting (open & closed)
2. September 26, 2013, teleconference (open & closed)

D. Chair's report

E. Executive Director's report

F. Review of Board's 2013 legislation – SF 379

G. Administrative rules

1. **For consideration of adoption: ARC 0889C** – Amend IAC 653 – Chapter 1 to limit Board member's term as Board chairperson. Public hearing was held August 13.
2. **For consideration of adoption: ARC 0943C** – Amend IAC 653 chapters 8,9,10, pertaining to licensure fees. Public hearing was held August 27.
3. **For consideration of adoption: ARC 0977C** – Amend IAC 653 – Chapter 14 to update language to provide clarity and more closely align rules with practices of the Iowa Physician Health Committee and program. Public hearing was held September 10.
4. **For discussion:** Standards of practice for telemedicine
 - a. H.R. 3077
 - b. SMART Workgroup Report

H. Annual review of fees

1. ARC 0943C

I. Heartland Healthcare Services' request for waiver or variance on collaborative drug therapy management

J. Iowa Physician Health Committee/Program

1. Statistical report
2. Program Update

K. Judicial review & Legal update

(Asterisk indicates case is pending in the Supreme Court/Court of Appeals. Other cases are in district court.)

1. Petition for Stay Pending Judicial Review and Petition for Judicial Review – IAC 653-13.10
2. Adel Al-Jurf, M.D.*

3. Amjad Butt, M.D. – Board to review disciplinary action
4. Mark Collison, M.D.*
5. Donna DeLouis, D.O. – Awaiting District Court decision
6. Robert Tobin, M.D.*
7. Fawad Zafar, M.D.*
8. Doe v. Board of Medicine
9. Contested case hearings – training (Kent Nebel)

L. Licensure & Licensure Committee Report

1. Interstate Compact for Medical Licensure
2. Maintenance of Licensure/Continuing Professional Development
3. Committee Report

M. Reports & Articles

1. *EHRs, Red Tape Eroding Physician Job Satisfaction*, by John Commins, Health Leaders Media, October 9, 2013
2. *Malpractice Premiums Drop for 6th Straight Year*, by Robert Lowes, Medscape Medical News, October 10, 2013
3. *Medical Board Exposure to Threats of Violence. What Boards Are Doing to Ensure Security*, by Kelly Alfred; Timothy Turner; and Aaron Young, Journal of Medical Regulation, October 2013

CLOSED SESSION – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

OPEN SESSION – Board Room

Chair Hoversten, Bender, Bognanno, Carmody, Clark, Gales, Perkins, Schoenfelder, Tewfik, Thompson

A. Vote on Closed Session Cases

ADJOURN

(1) The confidential matters listed on the agenda may concern medical records on the condition, diagnosis, care or treatment of a patient or investigation reports and other investigative information which are privileged and confidential under the provisions of Sections 22.7(2) and 272C.6(4), of the 2012 Code of Iowa. These matters constitute a sufficient basis for the Board to consider a closed session under the provisions of Section 21.5(1)(a), (d), (f) and (g) of the 2012 Code of Iowa. These sections provide that a governmental body may hold a closed session only by affirmative public vote of either two-thirds of the members of the body if all present, or all of the members present if not all members are present at the meeting to review or discuss records which are required or authorized by state or federal law to be kept confidential, to discuss whether to initiate licensee disciplinary investigations or proceedings and to discuss the decision to be rendered in a contested case conducted according to the provisions of Chapter 17A.

(2) Hearings may be closed at the discretion of the licensee, according to Section 272C.6(1) of the Code of Iowa 2012.

(3) Public agenda materials are available via e-mail. Public sessions are recorded and available via CD upon request. Contact natalie.sipes@iowa.gov

(4) The Iowa Board of Medicine may address agenda items out of sequence to accommodate persons appearing before the Board or to aid in the efficiency or effectiveness of the meeting.

(5) At this time, members of the audience may address the Board for a period not to exceed 5 minutes. The Board reserves the right to reduce this time based on the number wishing to speak. If a member of the public wishes to address the Board with the intention of getting a Board decision at the meeting, the individual should request permission to be on the Board agenda. Written requests are due in the Board office at least 14 days in advance of the meeting.

The next scheduled Board meeting is Thursday and Friday, December 19-20, 2013, at 400 SW Eighth Street, Suite C, Des Moines, Iowa.

If you require the assistance of auxiliary aids or services to participate in/or attend the meeting because of a disability, please call our ADA Coordinator at (515) 281-5604. If you are hearing impaired, call Relay IA TTY at 1-800-735-2942.